

00150810-5 2003-27

The Honorable Terry L. Myers
Chapter 11

Hearing Date: June 9, 2003

Hearing Time: 2:00 p.m.

1 John R. Rizzardi, WSBA No. 9388
2 Admitted Pro Hac Vice
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UNITED STATES BANKRUPTCY COURT FOR THE
DISTRICT OF IDAHO

In re:

8 FRANK L. CHAPIN and
9 SYDNEY L. GUTIERREZ-CHAPIN,
10 Debtors.

NO. 02-20218

MOTION OF FREDERICK A. LEAF FOR
APPOINTMENT OF LIQUIDATING
TRUSTEE

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12 Frederick A. Leaf, M. D., a plan proponent, ("Leaf"), by and through his attorneys
13 Cairncross & Hempelmann, P.S., hereby moves this Court for the appointment of Pivotal
14 Solutions, Inc., as the Liquidating Trustee under the terms of the Plan.

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16 The Plan submitted by Leaf calls for the appointment of a Liquidating Trustee. The
17 duties of the Liquidating Trustee are specified in the Plan, the Confirmation Order and the
18 incorporated Disclosure Statement. In order to ensure professional and experienced treatment of
19 the Debtor's assets, Leaf believes it is critical for the Liquidating Trustee not only to have
20 experience as a Liquidating Agent in other bankruptcy proceedings, but also to be objective,
21 entirely neutral and efficient. Leaf submits that Pivotal Solutions, Inc. ("PSI") satisfies these
22 criteria and more. Attached hereto is the Declaration of Richard Hooper, attaching the
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MOTION FOR APPROVAL OF SETTLEMENT
AND APPOINTMENT - 1

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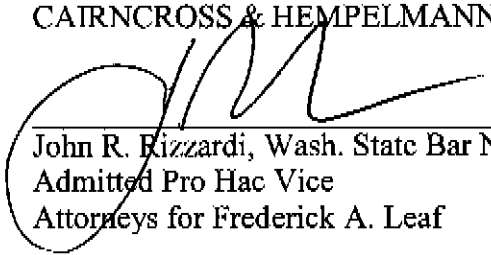
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1 professional resumes of the principals of PSI, demonstrating their expertise for the position of
2 Liquidating Trustee in this matter. PSI should be approved by this Court as the Liquidating
3 Trustee under the terms of the Plan, and its appointment should be made according to the terms
4 of the proposed Confirmation Order.
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6 DATED this 5th day of June, 2003.

7 CAIRNCROSS & HEMPELMANN, P.S.
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10 John R. Rizzardi, Wash. State Bar No. 09388
11 Admitted Pro Hac Vice
12 Attorneys for Frederick A. Leaf
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